

United States District Court  
District of Massachusetts

_____	)	
BARLETTA HEAVY DIVISION, INC.	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No.
	)	09-10143-NMG
ERIE INTERSTATE CONTRACTORS,	)	
INC., PHOENIX DEVELOPMENT &	)	
CONSTRUCTION, INC., ERIE	)	
PAINTING & MAINTENANCE, INC.,	)	
GREGORY ZAFIRAKIS, STEVEN	)	
MOUTSASTOS and STEVE ZAFIRAKIS	)	
	)	
Defendants.	)	
_____	)	

**PRELIMINARY INJUNCTION**

Upon consideration of pleadings filed by the parties and oral argument at hearings held on March 6, March 20 and April 10, 2009

**IT IS HEREBY ORDERED THAT:**

- 1) The defendants Erie Interstate Contractors, Inc., Phoenix Development & Construction, Inc., Gregory Zafirakis, Steven Moutsastos and Steve Zafirakis, are enjoined and otherwise restrained, until further order of this Court, from selling, conveying, transferring, assigning, hypothecating, depleting or otherwise disposing of or diminishing any property, right, title or interest, legal or equitable, in property covered by the Security Agreement entered into between the plaintiff, Barletta Heavy Division, Inc., and such defendants on December 28, 2007;
- 2) this order shall not preclude the corporate defendants, Erie Interstate Contractors, Inc. and Phoenix Development & Construction, Inc., from taking such

actions that are reasonable and necessary to the ongoing and continued operation of their businesses in the ordinary course thereof and shall not preclude the individual defendants, Gregory Zafirakis, Steven Moutsastos and Steve Zafirakis, from paying for reasonable and necessary personal and living expenses;

- 3) pursuant to Fed. R. Civ. P. 65(c), the bond previously posted by the plaintiff (in the amount of \$5,000) shall remain posted to secure any costs and damages that may be incurred or suffered by the defendants Erie Interstate Contractors, Inc., Phoenix Development & Construction, Inc., Gregory Zafirakis, Steven Moutsastos and Steve Zafirakis should it later be determined that this preliminary injunction was improvidently entered.

**So ordered.**

/s/ Nathaniel M. Gorton  
Nathaniel M. Gorton  
United States District Judge

Dated: April 10, 2009